



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Garry Bredefeld, Acting Council President
Chris Mathys,
Henry Perea

Sal Quintero
Daniel Ronquillo
Ken Steitz

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, OCTOBER 17, 2000

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

9:00 A.M. COUNCIL ROLL CALL

Invocation by Doug Erickson from the Maroa Home
Pledge of Allegiance to the Flag

Introduction of Russian Delegation - Mayor Patterson

Proclamation of "DIANE DECKER DAY" of Central Unified School District - Council President Boyajian
Proclamation of "AMERICAN BUSINESS WOMENS' ASSOCIATION DAY" - Councilmember Mathys
Proclamation of "TEHRAN SHRINE DAY"

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL

THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve minutes of October 3, 2000

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:45 A.M. Appearance by James Lissner to request Council consider lowering the fee for duplication of City documents

Action Taken:

10:30 A.M. **TEFRA HEARING** relating to the Saint Agnes Revenue Bonds
(Continue to 10/24/00 @ 10:15 a.m.)

Action Taken:

- a. **RESOLUTION** - Authorizing the issuance of up to \$155 million of Variable Rate Revenue Bonds (Trinity Health Credit Group), Series 2000 C to finance improvements at Saint Agnes Medical Center and related matters

Action Taken:

10:35 A.M.#1 **CONTINUED HEARING** to consider Rezoning Application No. R-00-011 and environmental findings, filed by Richard C. Ginder, Jr./W.G. Enterprises, for approximately one (1) acre of real property, located at 6875 N. Milburn Avenue

Action Taken:

- a. **BILL** - Amending the Official Zone Map to rezone the subject property from the M-1/EA/BA-15/UGM/cz and C-2/EA/cz-15/UGM/cz zone districts to the M-1/EA/BA-15/UGM/cz and C-2/EA/BA-15/UGM/cz zone districts with modified boundary

(Request for continuance pending ALUC review)

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:35 A.M.#2TEFRA HEARING relating to the Stonepine and Heron Place Multifamily Projects

Action Taken:

- a. **RESOLUTION** - Authorizing the issuance, sale and delivery of up to two (2) separate issues of the City of Fresno Multifamily Housing Revenue Refunding Bonds; authorizing the execution and delivery of up to two (2) separate Trust Indentures; two (2) separate Financing Agreements, an Official Statement and a Bond Purchase Agreement, and authorizing the execution and delivery of and approving other related documents and approving other related actions in connection therewith

Action Taken:

10:45 A.M. CONTINUED HEARING on prime contractor's request pursuant to Public Contract Code Section 4017 to substitute subcontractors based on claim of failure to perform subcontract for the Pilibos Soccer Park Project

Action Taken:

2:00 P.M. Update report on the Request for Proposal (RFP) process for the telecommunications contract

Action Taken:

- A. Enter into a five-year agreement or amend current Cal Net Agreement for voice service with Pac Bell - Councilmember Perea

Action Taken:

1. Issue Request for Proposal (RFP) for data network and long distance service at the end of current one-year agreement with MCI - Councilmembers Perea and Boyajian

Action Taken:

2:15 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

2:15 P.M.#2 **CLOSED SESSION**

- A. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6 (Councilmember Quintero)

City Negotiator(s): Jorge Aguiniga and Andrew T. Souza

Employee Organization(s):

1. Fresno Police Officers Association Non-Supervisory Police (FPOA)
2. International Association of Firefighters, Local 753 Non-Management Fire (IAFF)
3. International Association of Firefighters, Local 753 Fire Management (IAFF)

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

2:30 P.M.

JOINT MEETING OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY

Approve minutes of September 26, 2000

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

- A. Consider matters, documents, resolutions, and findings concerning the proposed publicly-owned multipurpose stadium (AAA Baseball Stadium) at a site generally bound by Tulare, Broadway/"H" and Inyo Streets and Fulton Mall or Broadway/Fulton alley within the Central Business District Redevelopment Plan Area

Action Taken:

1. * Agreement between the City of Fresno, Fresno Grizzlies, Inc., and Fresno Diamond Group, LLC, concerning construction and sublease of a multipurpose stadium [30-year Lease Agreement] (**Council action**)

Action Taken:

2. * Non-Relocation and Continuing Operation Agreement between the Fresno Diamond Group, LLC, Fresno Grizzlies, Inc., Tucson Toros, Inc., and the City Of Fresno (**Council action**)

Action Taken:

3. * Pledge Agreement between the Fresno Diamond Group, LLC, Fresno Grizzlies, Inc., Tucson Toros, Inc., and the City of Fresno (**Council action**)

Action Taken:

4. * Parking Agreement between the Redevelopment Agency of the City of Fresno, the City of Fresno and the Fresno Diamond Group (**Council and Agency action**)

Action Taken:

5. * **RESOLUTION** - Approving Disposition and Development Agreement (D&DA) by and between the City Of Fresno and the Redevelopment Agency of the City of Fresno, and making certain findings pursuant to the California Community Redevelopment Law, for the Proposed Multipurpose Stadium Project in the Merger No. 1 Project Area (**Council and Agency action**)

Action Taken:

- a. Consideration Of Alternative Disposition and Development Agreements (**Council and Agency action**)

Action Taken:

6. * **RESOLUTION** - Approving a financing plan for construction of a multipurpose stadium to be located in downtown Fresno; authorizing the appointment of an Underwriter, Financial Advisor, Trustee and Bond Counsel in connection with the financing; and authorizing the taking of all necessary actions to proceed with the financing (**Council action**)

Action Taken:

7. Action providing Council President, City Manager, Redevelopment Agency Executive Director, and City Attorney, or their designees with authority to take all necessary actions, including but not limited to, execution of documents to implement stadium project consistent with approved resolutions and documents (**Council and Agency action**)

Action Taken:

***ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION**

CONTINUED TIME SCHEDULED HEARINGS AND MATTERS

- B. Approve the 1999-2000 Fresno County Grand Jury recommendation regarding the multipurpose stadium and recommend that the Fresno Diamond Group should provide a financial accounting of its first two seasons of operation before multipurpose stadium plans are completed- Councilmember Mathys (*Council action*)

Action Taken:

- C. Request Acting President Bredefeld on behalf, of the Stadium Negotiating Team, to report to Council of their intention to change their position of not requiring a general subsidy and the maximum cost of subsidy over the term of the lease agreement - Councilmember Mathys (*Council action*)

Action Taken:

ADJOURN AGENCY

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:15 P.M.)

1. Award a contract for PVC line reinforced concrete pipe for North Avenue trunk sewer
Action Taken:
2. Award a contract for construction of concrete median island in Clinton Avenue between Crystal and Weber Avenues
Action Taken:
3. Award a contract for a requirements contract for asphalt concrete
Action Taken:
4. Award a contract for construction of bike path between N. First Street and N. Bond Avenue
Action Taken:
5. Award a requirements contract for ductile iron pipe
Action Taken:
6. Approve the firm of Liebert & Cassidy to conduct anti-discrimination and anti-harassment training sessions
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

7. Adopt agreement between the City of Fresno and the Amalgamated Transit Union, Local 1027 for the extension of the current Memorandum of Understanding (MOU) between the City of Fresno (City) and Amalgamated Transit Union, Local 1027 (ATU)

Action Taken:

- a. * **RESOLUTION** - 4th amendment to Salary Resolution No. 2000-186 amending Exhibits 1, 2, 3 and 6

Action Taken:

- b. **RESOLUTION** - Establishing comparisons for purposes of establishing retirement benefits for deleted classes

Action Taken:

8. Authorize the Chief of Police of his designee to execute an agreement with Macerich Fresno Limited Partnership to lease Police Substation located at Fresno Fashion Fair Mall at no cost to the City

Action Taken:

9. **RESOLUTION** - Approving Final Map of Tract No. 4944, Phase II of Tentative Tract No. 4384 and accepting dedicated public uses therein, a 84-lot single-family residential subdivision on approximately 16.7 acres of property located on the south side of W. Barstow Avenue between N. Hayes and N. Bryan Avenue alignments

Action Taken:

10. **RESOLUTION** - Dedicating certain City-owned property as an easement for public street purposes, property located on Marks Avenue north of Shaw Avenue

Action Taken:

11. * **RESOLUTION** - Ordering the summary vacation of a portion of Santa Fe Avenue between Marks and Shaw Avenues

Action Taken:

12. Approve agreement with Clovis Unified School District confirming payment of development fees related to construction of Chestnut/Behymer Elementary School

Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Proposed reappointments of Kendall Groom and Robert Booher to the Fresno Metropolitan Flood Control District (*For introduction*) - Mayor Patterson

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Request City Manager to direct staff to return with necessary documents to designate Enterprise Zone acreage to include APN 458-071-010 located at Nielsen and West Avenues in current Enterprise Zone - Councilmember Ronquillo
Action Taken:
- B. Proposed appointment of Mary J. Kight to the Commission on the Status of Women - (*For introduction*) - Councilmember Perea
Action Taken:
- C. * **RESOLUTION** - 51st amendment to AAR No. 2000-183 appropriating \$24,000 of District 4's general infrastructure budget and \$1,000 of District 2's general infrastructure budget to fund the Fresno Rail Consolidation Study (*Requires 5 affirmative votes*) - Councilmembers Steitz and Mathys
Action Taken:
- D. * **RESOLUTION** - 52nd amendment to AAR No. 2000-183 appropriating \$2,500 of District 5's general infrastructure budget to fund \$1,000 for the Toys For Tots Octoberfest 2000 Car and Bike Show; \$1,000 for the Butler Avenue Mennonite Brethren Church's Halloweenfest; and \$500 for the Prison Fellowship Ministries (*Requires 5 affirmative votes*) - Councilmember Quintero
Action Taken:
- E. Approve the Request for Proposal (RFP) to obtain the Financial Consultant/Auditor - Council President Boyajian
Action Taken:
- F. * **RESOLUTION** - 53rd amendment to AAR No. 2000-183 appropriating \$100 from District 1's general fund infrastructure to fund Fresno High ROTC Program (*Requires 5 affirmative votes*) - Councilmember Boyajian
Action Taken:
- G. **RESOLUTION** - Supporting Measure A - "Arts to Zoo," appearing on the November 7, 2000 ballot - Councilmember Ronquillo
Action Taken:
- H. * **RESOLUTION** - 5th amendment to Salary Resolution No. 2000-186 changing Executive Assistant to the Council to Executive Analyst to the Council - Councilmember Boyajian
Action Taken:
- I. Consider amendment to Fresno City Employees Health and Welfare Trust Agreement extending arbitration language provisions - Councilmember Perea
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Oct. 24 - 9:00 A.M. Presentation of P.R.I.D.E. Team Certificates for the Fall Quarter (*Reception immediately following - 2nd floor foyer*)
- Oct. 24 - 10:00 A.M.#1 **HEARING** P.A. No. A-00-06, change bike path to bike lanes on Butler/Willow Specific Plan Area (*Continue to 10/31/00 @ 10:30 a.m.*)
- Oct. 24 - 10:00 A.M.#2 **HEARING** P.A. No. A-00-11, designate S. Winery Avenue as a through street between E. Lane Avenue and E. Kings Canyon Road (*Continue to 10/31/00 @ 10:45 a.m.*)
- Oct. 24 - 10:15 A.M. **CONTINUED TEFRA HEARING** relating to the Saint Agnes Revenue Bonds
- Oct. 24 - 10:30 A.M. Report by the Chief of Police on police issues - Councilmember Steitz
- Oct. 24 - 10:45 A.M. **HEARING** re: Site Plan Review Appl. No. S-00-266, filed by don Pickett & Associates, property located at 4767 E. McKinley Avenue
- Oct. 24 - 5:00 P.M. P.A. No. A-00-03, Rezone Appl. No. R-00-04, filed by Beal Properties, Inc.
- Oct. 31 - 9:30 A.M. Presentation by City of Fresno Historic Preservation Commission State of Historic Preservation Report
- Oct. 31 - 10:00 A.M. Presentation of Employee Service Awards (*Reception immediately following - 2nd floor foyer*)
- Oct. 31 - 10:30 A.M. **CONTINUED HEARING** P.A. No. A-00-06, change bike path to bike lanes on Butler/Willow Specific Plan Area
- Oct. 31 - 10:45 A.M. **CONTINUED HEARING** P.A. No. A-00-11, designate S. Winery Avenue as a through street between E. Lane Avenue and E. Kings Canyon Road
- Oct. 31 - 11:00 A.M. Council position on Westlands Water District and east side farmers water issue - Councilmember Perea
- Nov. 7 - **NO MEETING**
- Nov. 14 - 8:30 A.M. Council/Agency consideration of relocation plan for Phase II of Regional Medical Center
- Nov. 14 - 5:00 P.M. **CONTINUED HEARING** to consider Plan Amendment Application No. A-00-07, Rezoning Application No. R-00-13, and environmental findings, filed by Halferty Development
- Nov. 27 - 30 General Plan Hearings
- Nov. 28 - 10:00 A.M. **HEARING** re: Annexation No. 24 of CFD No. 2
- Dec. 4 - 8 General Plan Hearings (*if needed*)

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***